IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.M.No.19-C of 2007,
C.M.No.10023-C of 2006 and
R.S.A.No.3901 of 2006
DATE OF ORDER: 8.1.2007

State of Haryana and Others

...Petitioner(s)

Versus

Satya Dev

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. Harish Rathee, Sr. DAG, Haryana.

M.M. AGGARWAL,J

C.M.No.19-C of 2007

Application is allowed. Notification of the Haryana Government dated 20.12.1982 is taken on record.

RSA No.3901 of 2006 (O&M)

This appeal had been filed beyond the prescribed period of limitation. There is an application for condonation of 324 days delay in filing the appeal.

The suit was for declaration/mandatory injunction filed by the

plaintiff, now respondent. It had been decreed. State of Haryana had filed appeal against that judgment, which was dismissed by the Court of District Judge, Faridabad on 8.9.2005.

On behalf of the appellant-State, it is argued that in view of Government Notification dated 20.12.1982, the Government had already decided to discontinue the practice to give benefits to the government employees for acquiring higher qualifications and all the instructions on the subject had already been withdrawn in the year 1982. It is argued that the plaintiff-respondent had acquired the additional qualification only in the year 1984 and as such was not entitled to any benefit in view of the instructions, which had already been withdrawn in the year 1982.

In this case, there is concurrent finding. No law point is involved. Appeal had been filed beyond the prescribed period of limitation.

I do not find any good ground to interfere and condone the delay. As such this appeal is dismissed.

January 08, 2007 (M.M. AGGARWAL)
manoj JUDGE